

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

DANA TOBY

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CRIMINAL ACTION NO. 21-224-4

ORDER

This 4th day of April, 2025, it is hereby **ORDERED** that Defendant's Motion (ECF 257) to proceed *in forma pauperis* is **GRANTED**, and accompanying motion to appoint counsel is **DENIED**. It further **ORDERED** that Defendant's Motion pursuant to § 2255, (ECF 256), is **DENIED** for the reasons set forth in the accompanying memorandum.

There is no basis for the issuance of a certificate of appealability.

/s/ Gerald Austin McHugh
United States District Judge